UNITED STATES DISTRICT COURT DISTRICT OF PUERTO RICO



CIVIL CASE OPENING/CREDIT CARD MODULE MANUAL

April 2010 - Version 4.2

Frances Ríos de Morán, Esq. Clerk of Court

Clerk's Office Points of Contact:

Nivea Ocasio, Workleader DQA Section Kim D. Kalife, CM/ECF Project Manager

Tel.: 787.772.3062 Tel.: 787.772.3085

nivea_ocasio@prd.uscourts.gov kim_kalife@prd.uscourts.gov

Help Desk: 787.772.3449

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NOTICE OF ELECTRONIC FILING
JUDGE ASSIGNMENT
APPENDIX A - PARTY NAME STANDARDS

Pursuant to Local Rule 5.1, attorneys are required to receive notice of filings electronically and to file documents electronically. Attorneys may also open their own civil cases and electronically file the initial document/pleading.

In order to file a case electronically, an attorney must be able to do one of the following:

- 1. Pay the required filing fee with a credit card over the Internet;
- 2. File the case without paying filing fee, accompanied by a motion to proceed in forma pauperis; or
- 3. File a case where the filing fee is waived.

Important Points to Remember:

- The entire process <u>must</u> be completed. You will open the new civil case and file your initial document/pleading. A case is not considered filed until the complaint is filed.
- Do <u>not</u> attempt to start over again once a case number has been assigned, even if you believe that you have made a mistake in case opening. The Clerk's Office can correct case opening errors, and you should file your complaint or other initiating document under the first case number assigned.
- The filing fee is paid while filing the complaint or other initiating document.
 <u>Never</u> hit the back button after you have passed the credit card screens.
 Doing so could result in double charges.

Required attachments to your complaint or other initiating document:

Civil cover sheet
 Category sheet
Summons

If the initiating document is accompanied by a Motion to Proceed in Forma Pauperis, you must file the Motion/Application to proceed in forma pauperis as a separate document using the appropriate motion event. The Motion to Proceed in Forma Pauperis will be document #1 with the Affidavit as an attachment. Then, the complaint will be filed as document #2.

Judge Assignment

After the complete verification of the case and the filing of the fees, a judge will be assigned through the random assignment system and the summons will be issued.

The following instructions will walk you through the entire process. Please have you case opening documents converted to PDF format before starting.

LOG INTO CM/ECF

Authentication Login: Password: Login Reset

Log into CM/ECF with your CM/ECF login and password.



Click on Civil

OPEN A NEW CIVIL CASE - GETTING STARTED

Open a Case Civil Case - Unassigned Initial Pleadings and Service Complaints and Other Initiating Documents Service of Process Answers to Complaints Other Answers

Motions and Related Filings <u>Motions</u>

Responses and Replies

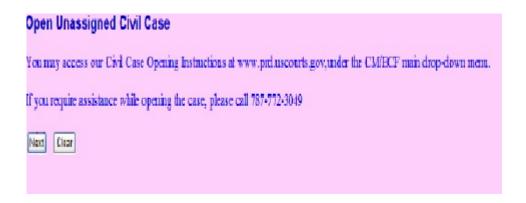
Civil Events

ADR Documents
Notices
Trial Documents
Appeal Documents
Other Documents

Other Filings

Social Security Events
Social Security Documents
Social Security Complaint
Social Security Answer
Social Security Motion for Extension

Click on Civil Case -Unassigned The next two screens contain important information. Please read them carefully and click the [Next] button on each screen.





The Open Unassigned Civil Case screen appears and displays initial case filing information.

The office selection is always San Juan.

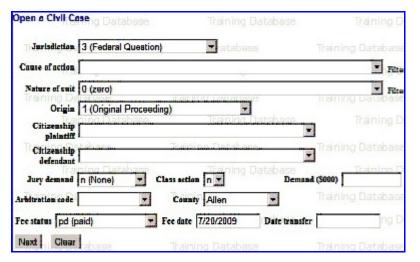
The Case type field is set to default at **cv** which represents a civil case, **mc** is a miscellaneous case.

Do not select any of the other options on this screen unless you are filing a Notice of Removal. For a removal case you will enter the name of the county case number in the **Other court number** field.

Click the [Next] button.

ENTER THE CIVIL COVER SHEET INFORMATION

(JS-44)



A new screen appears and displays multiple fields for entry of information typically found on the civil cover sheet (JS-44).

Select from the options displayed from the dropdown menu or fill in the necessary fields.

Statistical Information Screen:

- Jurisdiction: There are four options:
 - 1 (U.S. Government Plaintiff)
 - 2 (U.S. Government Defendant)
 - The ECF system defaults to 3 (Federal Question) because it is the most common
 - If 4 (Diversity) is the proper Jurisdiction, you will be required to complete the Citizenship fields for both Plaintiff and Defendant
 - 5 (Local Question) Do Not Use.
- Cause of Action and Nature of Suit Codes
 - After entering all information, click the [Next] button.
- The Origin Code is required. Select only one of the following:
 - 1 (Original Proceeding) is to be used when filing an original Complaint
 - 2 (Removal from State Court) is to be used when filing a Notice of Removal
 - All other codes are for Court Use Only.
- The Citizenship fields are not to be completed unless #4 (Diversity) was selected in the Jurisdiction field.

ENTER THE CIVIL COVER SHEET INFORMATION

(JS-44) Continued

- Jury Demand
 - o n (None) if plaintiff does not request a Jury Trial
 - p (Plaintiff) if plaintiff requests Jury Trial
- Class Action If this is a Class Action case, select "y" for yes; otherwise, leave it at "n" for no.
- Demand (000) is a number representing the dollar amount demanded in thousands, up to four digits. For examples, \$10,000 would be entered as 10. If there is no dollar demand, leave this field blank. Note: Currently, anything above four digits should be entered as 9999. Note: The system will add three zeros to the amount you enter.
- Arbitration Code leave blank
- **County** Select the country corresponding to the first listed plaintiff except if USA is the plaintiff, in which case it will be the defendant's country.
- Fee Status: default value is set to "paid". Select from the drop down menu if different.
 - o pd (Paid)
 - wv (waived) Do not use.
 - o pend (IFP pending) Do not use.
 - o none for US Attorney use only
 - **fp** if submitting a motion to proceed in forma pauperis.
- Fee Date and Date Transfer: leave as it is.

After entering all information, click the [Next] button.

The system will verify the accuracy of combinations entered on the screen. For example, if an invalid Nature of Suit and Jurisdiction combination is selected, a screen will appear stating:

Invalid Nature of Suit/Jurisdiction combination [440/4]. Valid Jurisdiction code(s) for Nature of Suit [440] are [1,2,3].

If you receive this error message, click [ok] and select valid combinations as suggested.

ADD PARTY NAMES

The next screen is the participant entry screen where you enter all parties to the case. The participant entry screen is split into two sides. The right side is used for searching parties, and the left side displays what parties have been added to the case.





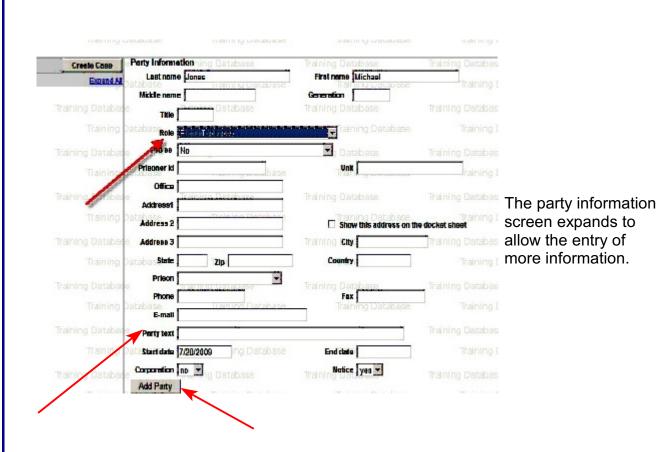
Before adding a party, you should first search to see if the party has already been entered into the CM/ECF party database.

Note: See Appendix A for Standard Party Guidelines for the entry of party names. If unsure how a specific party name should be entered, please contact the Clerk's Office Help Desk for guidance.

In the *Last/Business* Name field enter the first few letters of the last name of the individual, or the business name of the party you wish to add. Click **[Search]**. After you click the search button, the system will look for any matches to your party name entry.

If the correct party name is found, click **Select Party**. If the correct party name is not found, click **Create New Party**.

When entering a company name, the entire name is entered in the Last name field.



The **Role** type defaults to Plaintiff. It is important that the filer selects the appropriate role type.

The **Party text** field is used to enter additional descriptive information that does not belong in Last/First Name fields. See Appendix A - Party Text.

Do not enter the addresses, e-mail addresses, or telephone numbers for parties. Remember to select the proper role (plaintiff, defendant, etc.) from the drop down list.

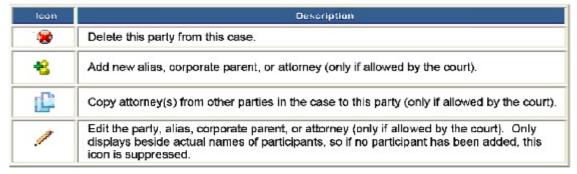
After entering the party role and the party text (if applicable), click [Add Party].

The party name will appear on the left side of the screen. All participants (parties, aliases, attorneys and corporate parents) that are added to a case are displayed in a tree with icons to edit, add, and delete participants.



The Icons

The following table provides a description for each of the icons that may appear in the participant tree.



Additionally, the + and - icons for each node expand or collapse the node, respectively.

To add an alias or corporate parent to the party in the case, simply click the + sign next to the Alias icon or Corporate Parent icon in the case participant tree. Please note, attorneys cannot add attorneys to a case. Continue searching for/adding all parties to the case. Once all participants have been added, click the [Create Case] button near the top on the left half of the screen.

The following message will appear.
Click Yes to continue with case opening.



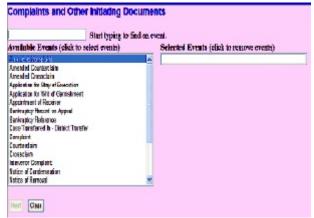
The final step in opening a new Civil Case is to docket the "Lead Event."

Click on the "Docket Lead Event?" hyperlink which will allow the filer to electronically submit the complaint or notice of removal.



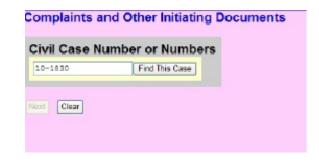
Note: Once the civil case has been created, a civil case number will be automatically assigned by the CM/ECF system. DO NOT hit the back button to start over again. If you return to civil case unassigned, you will be assigning two case numbers to your action.

FILE THE INITIATING DOCUMENT/PLEADING



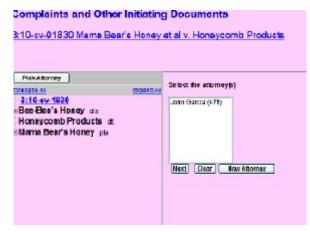
Highlight the name of the document you are filing from the drop down box.

Click the [Next] button.



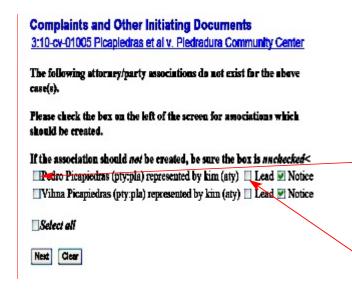
The assigned case number appears in the Case Number box.

Click the [Next] button.



Click to highlight the party filing the complaint (if there is more than one party filer, you would click the names while pressing down the Control key)

Click the [Next] button..

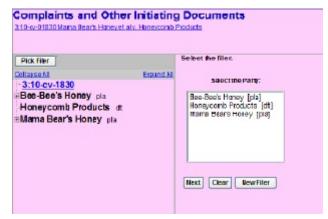


This screen requires the filing attorney to associate themselves with the filing party. This ensures that notices of electronic filing will be served on the plaintiff's attorney for all parties indicated.

Check the first box to indicate that this party is being represented by the attorney currently logged in and filing this document. If this box is not checked, the attorney will not appear as counsel of record on the front of the docket.

Lead indicates that this attorney is to be identified as the Lead Counsel.

Notice - this box is automatically checked. **NOTE: DO NOT remove the check mark from this box!** A check mark in this box will cause the court's electronic filing system to send notice of documents to counsel of record.



Click to highlight the party that this filing is against. (If there is more than one defendant, you would click the names while pressing down the Control key).

Click the [Next] button.



Please read the message on the screen and click the [Next] button.

The initial pleading (complaint, notice of removal, etc) should be converted into portable document format (PDF) before beginning the case opening process. When filing the document it will be necessary to enter the exact file path and the document. For ease in locating/uploading your PDF documents the court recommends that you create a folder for your District Court case files.

The following screen is where the PDF documents are uploaded.

In the Main Document section, click [Browse] to find the PDF document on your computer. Clicking the [Browse] button takes you to your local hard drive or network server.



To avoid the chance of erroneously uploading the wrong document, filers are strongly encouraged to use the [Browse] button to locate the file, and then right click on the file name and select Open with Acrobat. This will open the PDF and allow you to view it before filing and ensure that it is the correct document.

Once you have found the correct main document (complaint, notice of removal, etc.), you can begin uploading the attachments (civil cover sheet, category sheet, summons, exhibits, etc.).



Click the [Browse] button on the line for Attachment 1. Click the *Category* drop down and highlight the correct document you are attaching. If nothing matches what you are filing, enter descriptive text in the free text box.

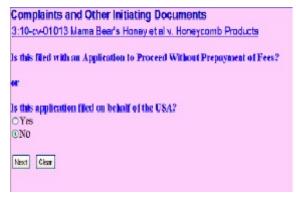
You must add any exhibits as attachments to the complaint. The civil cover sheet, category sheet, and summons will also be attachments to the complaint.

When you have finished uploading all attachments, click the [Next] button.

If filing your complaint in forma pauperis, do <u>not</u> attach the motion/application to proceed in forma pauperis to the complaint. You must file it as a separate document using the appropriate motion event. It will be document #1.

The corporate disclosure statement should also be filed as a separate entry and should not be uploaded as an attachment to the complaint.

PAYMENT OF FILING FEE



If filing in forma pauperis or if exempt from the filing fee, answer YES to the following question. The screen will default to No.

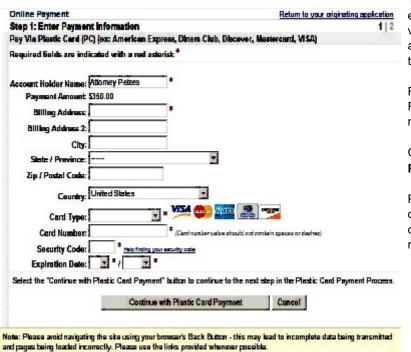
Filers answering Yes will bypass all payment screens and will be taken to the final docket text screen to complete the filing. (See page 16 - Completing the Filing)

To pay with credit card, leave default of No.

Complaints and Other Initiating Documents 3:10-cv-01013 Mama Bear's Honey et al v. Honeycomb Products Fee: \$350

Filers answering (Yes) will not see this screen.

Click the [Next] button.

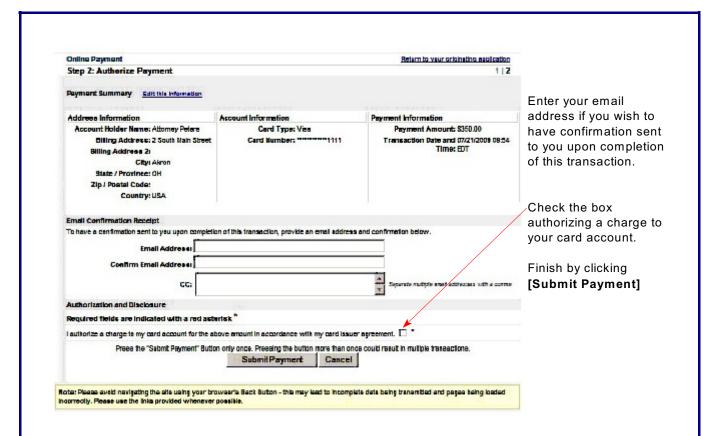


You will be taken to Pay.gov for electronic payment of the filing fee via credit card. The court is not accepting Bank Account Debits at this time.

Fill in the required information. Fields with a red asterisk are required.

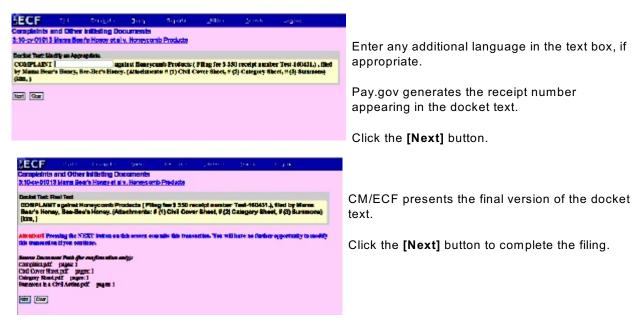
Click [Continue with Plastic Card Payment] button.

Please do not hit the back button once you have filled in the credit card information. Doing so may result in duplicate charges.



COMPLETING THE FILING

After payment has been processed, or after indicating IFP or exempt status, you will be taken to the final docket text screen.



CM/ECF issues a receipt confirming the filing of the document(s).

Complaints and Other Initiating Documents

3:10-cv-01013 Mama Bear's Honey et al v. Honeycomb Products

United States District Court for the District of Puerto Rico

USDC - Puerto Rico

Notice of Electronic Filing

The following transaction was entered by him, on 4/7/2010 at 4:20 PM AST and filed on 4/7/2010

Case Name: Mania Bear's Honey et al.v. Honeycomb Products

 Case Number:
 3:10-cv-01013

 Filer:
 Bee-Bee's Honey

Mama Bear's Honey

Document Number:1

Judge(s) Assigned: Aida Delgado-Colon (presiding)

Docket Text:

COMPLAINT against Honeycomb Products (Filing fee \$ 350 receipt number Test-160431.), filed by Mama Bear's Honey, Bee-Bee's Honey. (Attachments: # [1) Civil Cover Sheet, # [2) Category Sheet, # (3) Summons) (kim,)

3:10-cy-01013 Notice has been electronically mailed to:

3:10-cy-01013 Notice will not be electronically mailed to:

Bee-Bee's Honey

Mama Bear's Honey

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename:n/a

Electronic document Stamu:

gn a Judge igned to the

CIVIL CASE OPENING/CREDIT CARD MODULE MANUAL

APPENDIX A - Party Name Standards

November 2010 (revised 04/10)

PARTY NAME STANDARDS

PARTY NAMES

For an individual named person

- Only the first letters of the names will be capitalized
- Place hyphen between party's last names (ex. Santiago-Feliciano)
- Place last name in the Last Name field
- Place first name in the First Name field
- Place middle name or initial in the Middle Name field
- If the first name is unknown, type the letters <u>FNU</u> in the *First Name* field (Do not put Mr., Mrs., Dr., etc.)

Unknown Name of Spouses

- Place immediately after the corresponding spouse has been added
- Type in the Last Name field e.g., Jane Doe, John Doe, leave first name field blank
- When an Amended Complaint is filed identifying the unknown spouse, do not add the party. The Quality Control Specialist will substitute the party.

Conjugal Partnership → will be a separate party

- The words <u>Conjugal Partnership</u> will be followed by the first last name of the husband, a hyphen, and then the first last name of the wife (ex. Husband is Jose Santiago-Feliciano, the wife is Maria Rodriguez-Correa. Their Conjugal Partnership will be added as **Conjugal Partnership Santiago-Rodriguez**)
- Type it all in the Last Name field
- Use this standard wording. Do not put Legal Partnership of ..., or jointly as ..., nor Conjugal Partnership constituted by both etc.
- If one of the spouses' name is unknown then party name will be entered as Conjugal Partnership Santiago-Doe (unknown wife) or Conjugal Partnership Doe-Rodriguez (unknown husband).

Other Unknown Parties → will be added after all the named parties type the complete unknown name in the Last Name field, for example

- John Doe, Richard Roe (do not use Fulano de Tal)
- Jane Doe, Jane Roe
- Insurance Company A-Z
- Insurance Company A,B,C
- Insurance Corporations A-Z (adding only one is sufficient, do not add separately as Insurance Company A, Insurance Company B, Insurance C...)
- Do not add titles to John Does, i.e. Mr. Dr.
- When an Amended Complaint is filed identifying an unknown party, you
 will add the named party by clicking on Add or Create a New Party.

Other Names

- type complete name in the *Last Name* field
- keep prepositions lower caps. Examples:
 - Commonwealth of Puerto Rico
 - United States of America
 - Compania de Servicios de Salud y Medicina Avanzada
 - National Council of Examiners for Engineering and Surveying
 - Estate of Manuel Perez-Rodriguez
 - Isles of the Caribbean

Social Security cases: enter the party name in the last name field as *Commissioner of Social Security*. Do not add the name of the presiding commissioner.

PARTY TEXT

The party information screen allows you to add information regarding the position of the party. Examples of party text:

- in representation and on behalf of minor
- in his personal and official capacity
- as Governor of Puerto Rico
- as Mayor of the City of San Juan
- as Police Commissioner of Puerto Rico

There are several specific agencies to choose from for the United States of America, such as.

- United States of America (Rural Development)
- United States of America (Small Business Administration)
- United States of America (US Department of Housing and Urban Development)

Defendants that are properties, money, etc.

- Real Estate Located at Sector Palo Seco → under last name → add as Party Text any additional information
- \$100,000 in U.S. Currency → under last name

CORPORATE PARENT INFORMATION

- Click on the Corporate Parent icon next to Other Affiliate
- Enter the last business name and click on the Search button
- If there is a match, click on the name shown in the list and click on the Select name from the list button. This action will return you to the party information screen, click on the Submit button to end entering the first party information. If there is no match, click on the Create new corporate parent button.
- In the corporate parent information screen, select the type and click on the Add Corporate Parent button. When finished, click on the add new party to continue entering parties or create case.

MONETARY DEMAND CODES IN THOUSANDS OF DOLLARS

(ROUNDED TO NEAREST THOUSAND; THE SYSTEM WILL ADD 3 ZEROS)

Code Description

0 less than \$500 or no amount demanded
1 \$1,000
2 \$2,000
10 \$10,000
300 \$300,000

9999 \$9,998,500 or more

Examples

1 \$1,234 3 \$2,575 10 \$9,999 300 \$299,600 2500 \$2,500,400